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TOWN OF JOHNSTON PLANNING BOARD

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Tuesday, December 10, 2013, 6:00 p.m.

Johnston Senior Center, 1291 Hartford Ave., Johnston, RI 02919

MINUTES

The Planning Board of the Town of Johnston held their regular meeting at 6:00 p.m. on Tuesday, December 10, 2013, at the Johnston Senior Center, 1291 Hartford Ave.

I. Call to Order & Roll Call

The meeting was called to order at 6:04 p.m. Quorum present for the Board: Lauren Garzone, Chair; John Laurito, Vice-Chair, Albert Cournoyer, Lori Pezzullo, and Mohamad Sasa. Absent: Peggy Passarelli and Christine Cunneen.

Also present for the Town: Joseph Ballirano, Esq., Planning Board Solicitor; Ben Nascenzi, Dep. Director, DPW, CBO/ZO, and Susan Leonardi, Planning Clerk.

Mr. Cournoyer made the motion to accept the minutes of the November 5, 2013 meeting. Ms. Pezzullo seconded the motion. A voice vote was taken; all in favor.

II. Old Business

A. Johnston Comprehensive Plan Rewrite

PB '13 - 10

Mr. Laurito made a motion to suspend the rules and hear this update at the end of the meeting. Mr. Cournoyer seconded the motion. A voice vote was taken; all in favor.

III. Public Hearing

A. Green Earth Avenue – FedEx Ground

PB '13 – 29

Industrial Site Plan Review for package distribution center and delivery terminal expansion. AP 31/ Lot 62, 6 Green Earth Ave. 6 Austin's Way RI LLC, owner, and Scannell Properties, applicant. Zoned I and I-L.

Bruce Hagerman, P.E., was sworn and presented the application to the Board. Mr. Hagerman explained the site and facility layout. There are currently 115 employees on two shifts and 75 delivery drivers. The stormwater maintenance system was discussed. There are currently 11.2 acres of impervious material on the site, 116 additional parking spaces will be added and a 27,200 sq. ft. addition with a 2,400 sq. ft. office area. There will be 20 new van and 28 new trailer parking spaces. The impervious area will increase to 13.3 acres. There will be approximately 94 new employees and 43 truck drivers.

A new swale will discharge stormwater from the parking lot expansion to detention pond #2. The only changes for this portion of the site are to extend the 36" culvert for the new parking lot and install a paved waterway. The distribution building will use the existing roof drain system. This

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system will be extended to accommodate the additional square footage. The office area and that side of the site (truck and van parking) will drain into detention pond #1.

14 trees will be planted in the new parking area and 10 new trees will be installed throughout the site. New site lighting to match existing will be installed in the new parking lot.

Because the area of work is less than 1 acre, DEM approval is not required. NBC approval has been received for the sewer. Water availability and Fire Department approvals are pending.

Bill Donalds of FedEx and Mike Anderson of Scannell Properties were sworn.

No abutters appeared for or against the project. Public Hearing was closed by motion by S. Sasa and seconded by A. Cournoyer.

B. Nascenzi stated that the water availability documents have been submitted, but the fire flow calculations have not. B. Hagerman stated that he submitted them stamped by AAA Sprinkler on November 27, 2013. B. Nascenzi stated that he does not have them. M. Anderson stated that they will be submitted ASAP.

S. Sasa asked that any approvals this evening be subject to these documents being submitted and approved. S. Sasa questioned the drainage system. It was built in 2006 and services the entire industrial park. B. Hagerman confirmed and indicated it is DEM approved. S. Sasa questioned the hours of operation. B. Donalds stated that it is 7:00 am to 5:00 pm. Trailers arrive overnight, approximately 18 trips per night. This is expected to increase approximately 2 trips per night with the addition. No residents will be disturbed as the trailers will use I-295.

J. Laurito made the motion to enter the Town Planner's memo into the record. S. Sasa seconded the motion. A voice vote was taken; all in favor.

J. Laurito made the motion to approve the Industrial Site Plan subject to items 1 through 4 of the Town Planner's memo. A. Cournoyer seconded the motion. A voice vote was taken; all in favor.

B. Hartford Avenue - Towne Centre**PB '13 – 32**

Master Plan amendment, Preliminary Plan and Commercial Site Plan review for AP 43/3, Lot 86 (4.3 of 10.75 acres), 1450 Hartford Avenue for Phase 2 restaurant, Phase 3 restaurant/retail, and Phase 4 fueling facility, 1450 TC, LLC, owner/applicant. Zoned B-2 / Redevelopment Overlay District.

Robert Murray, Esq. presented the application to the Board. The site is currently zoned B-2 within a Redevelopment Overlay District. The application was discussed at the November 12, 2013 Technical Staff Review meeting and the applicant has incorporated the staff comments. August, 2012 the project received Master plan approval and Preliminary approval for Phase 1 – Bank RI. Three specific items will be voted on this evening: amend the Master Plan approval for four phases, Preliminary Plan approval, and Commercial Site Plan approval. The applicant also requests that the Final approval be delegated administratively.

Jeff Saletin, Manager of 1450 TC LLC, Dennis DiPrete of DiPrete Engineering, Brad Hart, P.E., of DiPrete Engineering, John Dzwonczk, P.E. of JDG, and Paul Bannon presented information if their expertise was required.

Price-Rite and Bank RI are open and conducting business. The tenants for the remainder of the site are not specified yet. R. Murray presented B. Hart's resume to the Board. S. Sasa made the motion to accept the resume and accept B. Hart as an expert witness. A. Cournoyer seconded the motion. A voice vote was taken; all in favor.

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Bradford Hart, P.E. was sworn. B. Hart stated that the applicant has worked with DOT, DEM and the Town of Johnston to submit a workable plan. B. Hart explained the site and stated that it is consistent with Comprehensive Community Plan and the Land Use Map. The project has RIDOT, DEM Insignificant Alteration permit, Providence Water and NBC approvals. Phase 1 is Bank RI, Phase 2 is a 4,550 sq. ft restaurant/retail space with an enclosed dumpster on the southern end of the space, Phase 3 is a 4,500 sq ft restaurant/retail space with drive-thru and Phase 4 is a 12,800 sq. ft. fueling facility with 8 dispensers and a kiosk with 3 underground tanks. There will be an air dispenser for tires. Parking for each space will be located near the buildings. Landscaping meets Zoning requirements. There are two ingress/egress curb cuts, one with a traffic signal. Timing of the traffic signals can be altered at a later date to accommodate traffic. Signage meets Zoning. Lighting will have 25 ft high poles that are LED with cut-offs with low foot candles on the edges of the site. Drainage is DEM approved. There are four sumps with catch basins with water quality treatment. Additional landscaping will be installed. S. Sasa verified that the buildings for Phases 2 and 3 have been reduced in size, therefore lowering the amount of impervious pavement. B. Murray stated that the fueling facility will still need to be reviewed and obtain an underground tank permit from DEM.

No abutters appeared for or against the project. A motion to close the Public Hearing was made by S. Sasa and seconded by L. Pezzullo. A voice vote was taken; all in favor.

L. Pezzullo verified that only one ingress/egress had a traffic signal. She also questioned how traffic would flow out of the other one. B. Hart stated that with the signal at the other entrance and the signal at Hartford Ave, the gaps are sufficient for traffic going east or west to enter or leave the fueling facility. L. Garzone asked if the fueling facility would be selling propane. B. Hart stated that they would not.

B. Nascenzi stated that per the ROD zoning, parking can be shared by all businesses on the site. S. Sasa stated that the amount of parking will increase due to the decrease in the size of the buildings. L. Pezzullo questioned the timeframe for moving forward. B. Murray stated that the Final plans should be submitted by the end of the week.

Motion to accept the amended recommendations in the Planner's Memo was made by J. Laurito and seconded by S. Sasa. A voice vote was taken; all in favor.

Motion to accept the amended Town Planner's memo into the record was made by S. Sasa and seconded by A. Cournoyer. A voice vote was taken; all in favor.

Motion to amend the Master Plan was made by A. Cournoyer and seconded by L. Pezzullo. A voice vote was taken; all in favor.

Motion to approve the Preliminary Plan subject to the conditions presented on pages 4 and 5 of the amended Town Planner's memo was made by A. Cournoyer and seconded by J. Laurito. A voice vote was taken; all in favor.

Motion to approve the Commercial Site Plan was made by A. Cournoyer and seconded by S. Sasa. A voice vote was taken; all in favor.

IV. New Business**A. Killingly Street – Cumberland Farms**

PB '13 – 28

Major land development Master Plan for convenience store with gas station, AP 14/Lot 11, 663 Killingly Street. National Development Group, Inc., owner, and Cumberland Farms, Inc., applicant. Zoned B-2.

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Elizabeth Noonan, Esq. presented the application to the Board. The current Cumberland Farms store on Killingly Street will be closed and rented to another business. There is a deed restriction against another gas station operating at that location. The application was discussed at the Technical Staff Review meeting on November 18, 2013 and all concerns will be addressed.

E. Noonan submitted Lucien DiStefano's resume to the Board. Motion to accept the resume and Mr. DiStefano as an expert witness was made by S. Sasa and seconded by Mr. Cournoyer. A voice vote was taken; all in favor. L. DiStefano explained the project and site to the Board. The project will be very similar to the recently approved one on Hartford Avenue except the 2nd story will be a façade, no offices or storage. The building currently on the site will be demolished. The new building will be a 4,513 sq. ft. building with 4 fuel dispensers and 2 underground tanks. There will be 2 ingress/egress curb cuts and 15 parking spaces including the 2 employee spaces in front of the enclosed dumpster. Stormwater and treatment were discussed and will comply with DEM standards. Utilities have been approved. The site lighting will focus on the parking area, canopy and ingress/egress. Very low amount of light trespass to abutters. DEM approvals have not yet been received.

E. Noonan submitted Maureen Chlebek, P.E.'s resume to the Board. Motion to accept M. Chlebek's resume and Ms. Chlebek as an expert witness was made by A. Cournoyer and seconded by L. Pezzullo. A voice vote was taken; all in favor. M. Chlebek explained the studies performed and the traffic flow. The store and fueling facility will not affect the street system. A Physical Alteration permit will be submitted to RIDOT.

B. Nascenzi stated that people visiting abutting properties park on that site. The Town will be surveying the street and marking it accordingly. One-way signs will be installed on Traver Avenue. A public walkway will be installed adjacent to the site. A National Grid gas vault is installed at the intersection of Killingly Street and Traver Avenue. It is possibly located in the public right of way and the survey will determine if that is true. If it is, National Grid will have to move the vault. Discussion about straightening Traver Avenue and deeding the corner of the subject property to the Town to accomplish this.

L. Pezzullo verified that the existing Cumberland Farms would not continue as a fueling facility. L. Garzone verified landscaping and existing buffers. E. Noonan also stated that a schedule would be maintained so that the dumpsters being emptied would not disturb the abutting residential properties. S. Sasa verified that there not be a vacuuming station onsite.

Rick Lauder of Cumberland Farms was sworn. R. Lauder stated that the location will operate 24 hours a day, seven days a week.

Travis Chenault, abutter, was sworn. T. Chenault lives directly next door to the proposed operation. He is against the project. He is concerned about noise, increased traffic, signage blocking his view, light trespass and states that the proposed buffer is not adequate. He is also concerned that the project will lower his property values. J. Ballirano asked what the property was when Mr. Chenault bought his home. T. Chenault stated that the property was vacant. J. Ballirano suggested a meeting between Cumberland Farms representatives and T. Chenault to possibly alleviate some of the issues. B. Nascenzi explained zoning variances and the relief that the applicant may ask for. S. Sasa verified if it would be possible to place additional landscaping in the buffer.

E. Noonan requested approval of Master Plan and positive recommendation to the Zoning Board.

Motion to amend the Town Planner's memo (addition of #7 on page 3 to revise the lighting plan in accordance with the DPW memo dated 12/2/13) was made by S. Sasa and seconded by A. Cournoyer. A voice vote was taken; all in favor.

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Motion to enter the Town Planner's memo as amended into the record was made by J. Laurito and seconded by S. Sasa. A voice vote was taken; all in favor.

Motion to approve the Master Plan subject to the recommended condition on page 3 of the Planner's Memo dated December 2, 2013 was made by S. Sasa and seconded by J. Laurito. A voice vote was taken; all in favor.

Motion to send a positive recommendation to the Zoning Board was made by S. Sasa and seconded by A. Cournoyer. A voice vote was taken; all in favor.

B. RIRRC Air Quality Monitoring Easement**PB '13 – 31**

Advisory Opinion to Town Council on draft access easement between the Town of Johnston and Rhode Island Resource Recovery Corporation for air quality monitoring equipment at three town-owned locations.

B. Nascenzi explained the easements required, where they would be placed and what they would be used for, to the Board.

Motion to send a positive Advisory Opinion to the Town Council was made by L. Pezzullo and seconded by A. Cournoyer. A voice vote was taken; all in favor.

V. Administrative Report & Special Items

L. Garzone asked the Board members to read through each document

VI. General Business *Adoption of 2014 calendar of meetings*

Discussion regarding the November meeting date with Election Day and Veterans Day falling on the first two Tuesdays. Date for that meeting will be set later in 2014.

Motion to accept the 2014 meeting dates was made by J. Laurito and seconded by S. Sasa. A voice vote was taken; all in favor.

VII. Old Business**A. Johnston Comprehensive Plan Rewrite****PB '13 - 10**

B. Nascenzi stated that P. Sherrill is working on the rewrite and a full report will be forthcoming, including the new GIS mapping tool.

VIII. Adjournment

Motion to adjourn was made by A. Cournoyer and seconded by S. Sasa. A voice vote was taken; all in favor.

Adjourned at 8:30 p.m.

Peggy A. Passarelli
SECRETARY